

Application ref: 2018/6254/P
Contact: Thomas Sild
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Date: 7 March 2019

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NTR Planning
Clareville House
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
44 Wicklow Street
London
WC1X 9HL

Proposal:

Variation of Condition 2 (cycle parking), Condition 3 (approved drawings) and Condition 5 (use only as D1 family planning clinic) of planning permission 2012/5834/P granted 10/01/2013 for change of use of lower ground to first floor and part second floor from office use (Class B1) to Family Planning Centre (Class D1) with ancillary office accommodation (Class B1), namely to allow the use of the building as a non-residential educational institution (Class D1) with additional cycle parking

Drawing Nos:
SUPERSEDED
SK02

PROPOSED

0403-HS-XX-GF-DR-A-13-101 and 0403-HS-XX-GF-DR-A-13-102

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of

three years from 10 January 2013.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 Before occupation of the building by a (Use Class D1) non-residential educational institution use, cycle storage for 22 cycles as indicated on drawings 0403-HS-XX-GF-DR-A-13-101 and 0403-HS-XX-GF-DR-A-13-102 shall be installed. The approved facility shall be permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Site Location Plan, H0301/1, A3442F, A3442GC rev 6, Letter from Allen Planning Ltd (dated 3rd January 2013), and Planning, Design and Access Statement by Allen Planning (dated September 2012), 0403-HS-XX-GF-DR-A-13-101 and 0403-HS-XX-GF-DR-A-13-102

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 The method of waste storage and removal including recycled materials, shall be carried out in accordance with the details approved on 13 June 2013 under ref 2013/1945/P, or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policies A1 and CC5 of the Camden Local Plan 2017.

- 5 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall only be used as a family planning clinic or non-residential educational institution.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise traffic congestion and excessive on-street parking pressure in accordance with policies A1, A4, T1 and T2 of the Camden Local Plan 2017.

Informative(s):

- 1 This site has had lawful use as a family planning clinic since 2012 and this application seeks the variation of Condition 5 of planning permission 2012/5834/P granted 10/01/2013 for change of use of lower ground to first floor

and part second floor from office use (Class B1) to Family Planning Centre (Class D1) with ancillary office accommodation (Class B1). Condition 5 restricts the D1 use of the building to that of family planning clinic. The applicant wishes to enable use of the building as D1 non-residential institution.

The intention for Condition 5 was to ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure.

The building does not directly adjoin neighbouring buildings and it is considered that the use of the building as a non-residential institution would not result in an amenity impact that materially differs from the existing uses on site including offices (B1) office and D1 family planning clinic uses. To prohibit other D1 uses that may result in a more significant amenity impact, Condition 5 will be varied to limit the uses to either family planning clinic or non-residential institution.

The building's location is in an area of high public transport accessibility, however educational use would create a higher level of visits to the building than at present. Following negotiation with the Council's transport planners, details of secure and accessible cycle parking for 22 bicycles has been provided. As such a variation to Condition 2 which required details of 8 cycle parking spaces prior to occupation is necessary. The new condition would require the installation of the approved cycle parking prior to occupation by a non-residential educational institution.

The addition of the approved cycle parking drawings also requires Condition 3 (approved drawings) to be varied. No external changes are proposed beyond the original permission. As such there would be no additional design nor neighbour amenity impact relating to these variations.

No objections were received prior to making this decision. The planning history of the site and surrounding area were taken into account. Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The proposal is in general accordance with policies A1, D1, D2 and T1 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 2018.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours

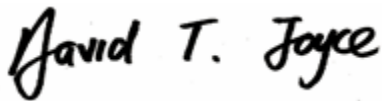
Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive style with a large 'D' and 'J'.

David Joyce
Director of Regeneration and Planning